

REMARKS

Reconsideration and allowance of the subject application in view of the following remarks is respectfully requested. This Amendment should be entered under Rule 116 as it raises no new issues.

Claims 15-21 remain pending in this application.

Claims 15-17 are rejected under 35 U.S.C. § 102(e) as being anticipated by U.S. Patent No. 6,192,191 to Suga et al. This rejection is respectfully traversed for the reasons discussed below.

The claimed invention as recited in claim 15 is directed to a multimedia data file producer for combining image data and sound data into a single multimedia data file, which utilizes an image pickup device and a sound pickup device with A/D converters respectively.

However, Suga et al. disclose a data storage which record digital image and digital sound into THREE files. Referring to Figure 24 and column 19, line 55 bridging column 20, line 8, “[a]long with an image data file group 3 and a sound data file group 4, a second map file 2 is recorded on the removable recording medium 2408.” In this case, the image data and the sound data are recorded into the removable recording medium 2408 as three file groups which are the image data file 3, the sound data file 4 and the map data file 2 for mapping purposes. Therefore, the multimedia data file in Suga et al. is not combined into a single data file. In Suga et al., the mapping of image data and sound data via the map data file is conducted in a CAMERA system, which is different from the present invention.

Furthermore, referring to Figure 9 and column 8 lines 53 bridging to column 9, line 20 of Suga et al., the map file of Suga et al. is not a single file consisting of image and sound information. Specifically, the map file of Suga et al. is a file combining the image object index (204) and the sound object index (206) for indexing purpose. The object index=2 for the image object and the object index=3 for the sound object are recorded in the map file. They are only the indices. However, the true image and sound data are stored in respective files, which is mainly different to the claimed patent application.

Since Suga et al. does not teach or disclose the present invention, claim 15 should be allowable over Suga et al., along with dependent claims 16 and 17. Accordingly, this obvious rejection should be withdrawn.

Claim 18 is rejected under 35 U.S.C. § 103(a) as being unpatentable over U.S. Patent No. 6,192,191 to Suga et al. in view of Maxium Technologies (Internet Publication, 2000). The rejection is respectfully traversed for the reason that claim 18 should be allowable since it depends from patentable independent claim 15 and dependent claim 16. Accordingly, this obvious rejection should be withdrawn.

Claim 19 is rejected under 35 U.S.C. § 103(a) as being unpatentable over U.S. Patent No. 6,192,191 to Suga et al. in view of U.S. Patent No. 6,233,014 to Ochi et al. The rejection is respectfully traversed for the reason that claim 19 should be allowable since it depends from patentable independent claim 15 and interval claim 16. Accordingly, this obvious rejection should be withdrawn.

Claims 20 and 21 is rejected under 35 U.S.C. § 103(a) as being unpatentable over U.S. Patent No. 6,192,191 to Suga et al. in view of U.S. Patent No. 5,764,779 to Haranishi. The rejection is respectfully traversed for the reason that claims 20-21 shall be patentable since claims depend from patentable independent claim 15 and dependent claim 16. Accordingly, this obvious rejection should be withdrawn.

All objections and rejections having been addressed, it is respectfully submitted that the present application should be in condition for allowance and a Notice to that effect is earnestly solicited.

Should the Examiner believe anything further is desirable in order to place this application in better condition for allowance, the Examiner is invited to contact the undersigned at the telephone number listed below.

To the extent necessary, a petition for an extension of time under 37 C.F.R. 1.136 is hereby made. Please charge any shortage in fees due in connection with the filing of this paper, including

extension of time fees, to Deposit Account 07-1337 and please credit any excess fees to such deposit account.

Respectfully submitted,

LOWE HAUPTMAN & BERNER, LLP

A handwritten signature in black ink, reading "Kenneth M. Berner". The signature is written in a cursive style with a large, stylized "K" and "B".

Kenneth M. Berner
Registration No. 37,093

USPTO Customer No. 22429
1700 Diagonal Road, Suite 300
Alexandria, VA 22314
(703) 684-1111
(703) 518-5499 Facsimile
Date: September 15, 2005
KMB/jad